



City of Wheatland


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CITY COUNCIL MEETING STAFF REPORT

Date: October 27, 2009
Agenda Item: _____

Subject: Fee Resolution for FOG Ordinance

Prepared by: _____
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Public Works Director


Dane H. Schilling
City Engineer

Approved: _____
Stephen L. Wright
City Manager

Recommendation: Adopt a resolution setting fees for Ordinance No. 417 (Chapter 13.22 of the Wheatland Municipal Code) regarding regulating discharges of fats, oils and grease (FOG) to the City's sewer system.

Discussion: State Water Resources Control Board Order No. 2006-0003-DWQ mandates waste discharge requirements for sanitary sewer systems statewide. This mandate includes a provision that local agencies adopt an ordinance implementing the State requirements. The regulations relate primarily to commercial food service establishments (FSE). The ordinance includes requirements for pretreatment and grease traps, record keeping, permitting, fees for annual inspections and enforcement provisions. Staff estimates that there are eleven FSE's in the City which include restaurants, service delis and school cafeterias.

This item was introduced and the first reading of the proposed ordinance was conducted by Council on September 8, 2009. The second reading and adoption was scheduled for September 22, 2009. Staff has considered the requirements contained in the ordinance and estimated the costs to the City to administer the FOG Program and enforce it. In accordance with Article III of the FOG Ordinance fees shall be established for the purposes of recovering costs that are incurred by the City for the administration, permitting activities and enforcement of the program. The fee schedule will be re-assessed and adjusted annually.

Alternatives: Council could modify or waive any or all of the fee requirements and re-evaluate on an annual basis.

Fiscal Impact: The following fees are proposed for the inaugural (FY2009/10) FOG Program. The fees are:

Annual FOG Waste Discharge Permit (WDP) Fee

The calculated FY2009/10 permit fee is intended to offset the City's costs for processing annual FOG permits, performing semi-annual site inspections, and for annual reporting to the State. The anticipated costs are as follows:

Process Annual Permit	\$ 20.00
Public Works Director	\$ 125.00
City Engineer	<u>\$ 35.00</u>
Total Annual Fee per FSE	\$ 180.00

FOG Re-inspection = \$90

This fee is collected for additional inspections required to determine whether specified corrective actions for noted violations have been implemented and if additional improvements are required.

Notice of Violation = \$265

Fee is collected from parties receiving a FOG discharge permit notice of violation.

Grease Disposal Mitigation Fee = \$280

If it is physically impossible for the Applicant to construct or install the required FOG prevention devices then a hardship waiver, conditional waiver or variance from compliance is issued and an annual Grease Disposal Mitigation Fee is collected. This fee is used to off-set the City's increased cost associated with removing FOG from the collection system.

Enforcement Actions & Other Activities = Staff Time and Materials + Standard City Overhead Percentage Rate

The City may charge for activities, not otherwise defined above, relating to enforcement, inspection, plan check and administration costs related administering the FOG Program at the City's cost plus the City's standard administrative overhead rate.

Fees shall be valid from July 1st to June 30th of each year and shall be adjusted annually based on estimates of the actual time expended by Staff on various activities and/or automatically according to the most recently published Consumer Price Index (CPI) for the Sacramento area.

Attachments: FOG Fee Ordinance